

Message Text

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TO SECSTATE WASHDC PRIORITY 8812

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E.O. 11652: N/A

TAGS: CGEN, PFOR, SZ

SUBJ: EXTRADITION OF JOSETTE GEISSER (DIVORCED BAUER)

REF: STATE 214606

1. H.P. WYSSMANN, THE SWISS OFFICIAL OF THE POLICE DIVISION, FED. DEPT OF JUSTICE AND POLICE, DEALING DIRECTLY WITH EXTRADITION MATTERS ASKED EMBOFF TO COME TO POLICE DIVISION TO DISCUSS "EXTRADITION MATTERS". TODAY AT THE MEETING WYSSMANN SAID HE HAD BEEN ASKED BY HIS SUPERVISOR TO RAISE THE JOSETTE GEISSER (DIVORCED BAUER) CASE WITH THE EMBASSY. HE SAID THE POLICE DIVISION VIEWED THIS AS A "TEST CASE IN EXTRADITION RELATIONS". WYSSMANN REMINDED EMBOFF THAT EXTRADITION OF MRS. GEISSER, A CONVICTED MURDERESS, VERY IMPORTANT TO GOS BECAUSE OF NOTORIETY ATTACHED TO HER CASE. WYSSMAN THEN EXPRESSED CONCERN THAT MRS. GEISSER MIGHT BE RELEASED FROM PRISON BEFORE APPEAL OF DISTRICT COURT'S DECISION THAT SHE COULD NOT BE EXTRADITED IS CONCLUDED. HE SAID SWISS EMBASSY IN WASHINGTON HAD BEEN TOLD BY US DEPT OF JUSTICE THAT THE ONLY WAY TO ENSURE THAT MRS. GEISSER NOT RELEASED DURING THIS TIME WAS TO OBTAIN A WRIT OF "DETAINER". WYSSMANN SAID SWISS EMBASSY HAD BEEN INFORMED THAT USG WOULD NOT OBTAIN THE WRIT. THE SWISS EMBASSY'S LEGAL COUNSEL ESTIMATED LEGAL FEES TO OBTAIN WRIT WOULD BE AT LEAST \$1400 TO \$1700. WYSSMANN SAID GOS WOULD NOT, RPT NOT, PAY THIS COST AND IF, IN FACT, "DETAINER" NECESSARY TO ENSURE

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MRS. GEISSER NOT RELEASED BEFORE EXTRADITION

DECIDED, GOS BELIEVED USG SHOULD PAY. WYSSMANN ADDED THAT IF MRS. GEISSER RELEASED FROM PRISON AND THEN "DISAPPEARED" BEFORE EXTRADITION DECIDED HIS SUPERIORS (NOTABLY DR. KURT MARKEES, A LEADING SWISS GOVT EXPERT ON US-SWISS LEGAL MATTERS) BELIVED US WOULD BE IN "VIOLATION" OF US/SWISS EXTRADITION TREATY.

2. WYSSMANN WENT ON TO NOTE GOS HANDLES ALL LEGAL ASPECTS OF EXTRADITION REQUESTS BY USG TO GOS AND THAT IT IS NOT FAIR THAT GOS NOT RECEIVE EQUIVALENT TREATMENT IN US. FYI EMBASSY CONFIRMS THAT GOS ABSORBS ALL LOCAL LEGAL COSTS OF EXTRADITION REQUESTS. ONLY CHARGES TO USG ARE COSTS OF DETENTION WHILE AWAITING EXTRADITION AND TRANSPORT FROM PRISON TO AIRPORT. THESE EXPENSES ARE TO BE PAID BY REQUESTING STATE UNDER ART. XIII OF TREATY. END FYI.

3. WYSSMANN ALSO STATED THAT A "SOCIALIST MEMBER OF PARLIAMENT FROM GENEVA" (WYSSMANN REFUSED TO GIVE A NAME), WHO OPPOSES RATIFICATION OF JUDICIAL ASSISTANCE TREATY, IS SAID TO BE WATCHING MRS. GEISSER'S CASE (THE MURDER WAS COMMITTED IN GENEVA) TO USE AS AN EXAMPLE OF THE USG'S UNWILLINGNESS TO LIVE UP TO ITS TREATY OBLIGATIONS - IF IN FACT MRS. GEISSER IS NOT EXTRADITED.

4. ACTION REQUESTED: EMBASSY STRONGLY RECOMMENDS THAT USG ITSELF TAKE WHATEVER ACTION IS NECESSARY TO ENSURE THAT MRS. GEISSER REMAINS IN CUSTODY PENDING OUTCOME OF APPEAL ON EXTRADITION REQUEST.
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